IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 1697 of 2005

Between:

B. Subba Rao, S/o. Yellalu,
14th Ward, Councilor, Proddatur Municipality, H.No. 15/597, Panduranga Swamy Street,

Mydukur Road, Proddatur, Kadapa District.

..... PETITIONER

AND

1. The Commissioner, Proddatur Municipality, Proddatur,
   Kadapa District.
2. The Incharge Chairperson, Proddatur Municipality, Proddatur,
   Kadapa District.
3. The Municipality Engineer, Proddatur Municipality, Proddatur,
   Kadapa District.
4. The District Collector,
   Kadapa, Kadapa District.
5. The Government of A.P. rep by its Secretary,
   Municipal Administration, Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may pleased to issue a Writ, Order, or direction more particularly one in the nature of *Writ of Mandamus* declaring the action of the 1st respondent in issuing tender notice No. 21/2004-05/E1, Dated 11-1-2005 is illegal, arbitrary and violation of principles of natural justice and equity, in the interest of justice.

Counsel for the Petitioner: MR.N.PARAMESWARA REDDY

Counsel for the Respondent Nos.1 to 3: Sri S.I. NEWTON, S.C.

Counsel for the Respondent Nos.4 & 5: GP FOR MUNCIPAL ADMN. &

URBAN

DEVELOPMENT

The Court made the following:

ORDER:

For declaring the action of the first respondent in issuing tender notice No.21/2004-05/E1, dated 11.01.2005 as arbitrary and illegal, the present writ petition has been filed.

When the writ petition is taken up for admission, the learned counsel for the petitioner submits that the subject matter of the writ petition does not survive and become infructuous.

Recording the submission made by the learned counsel for the petitioner, the writ petition is dismissed as having become infructuous. No order as to costs.

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(ELIPE DHARMA RAO, J)

Date: 01.07.2005

Ksn

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Commissioner, Proddatur Municipality, Proddatur,
   Kadapa District.
2. The Incharge Chairperson, Proddatur Municipality, Proddatur,
   Kadapa District.
3. The Municipality Engineer, Proddatur Municipality, Proddatur,
   Kadapa District.
4.The District Collector,
   Kadapa, Kadapa District.
5.The Secretary, Government of A.P.
  Municipality Administration, Secretariat, Hyderabad.

6. Two C.Cs to G.P. for Municipal Administration, High Court Buildings,

Hyderabad (OUT)

7. 2 CD copies

8 1 CC to MR.NEWTON

*Form-NIC-OGS/WP{**RLD**}*